

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20011 PERMIT 13161 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE,
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 13161 was issued to L. J. and E. Belle Esper on January 4, 1962 pursuant to Application 20011.
2. Permit 13161 was subsequently assigned to U. S. Bureau of Reclamation.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
4. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
5. Permit Condition 7 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 4 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1997

(0000008)

2. Condition 5 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

3. Condition 7 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: JUNE 15 1990

Walter G. Pettit
for Walter G. Pettit, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20011

PERMIT 13161

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND
AMENDING PERMIT

WHEREAS:

1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
2. It appears that the permittee has proceeded with diligence and that good cause has been shown for extension of time and for the said change.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL COMMENCE
ON OR BEFORE

DECEMBER 1, 1985

CONSTRUCTION WORK AND APPLICA-
TION OF THE WATER TO THE PROPOSED

USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1987

2. Paragraph 7 of the permit be amended to read as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity

instead of all or part of the water allocated;
(3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow;
(4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (000 0012)

3. Paragraph 11 be added to the permit as follows:

The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

Dated: MAY 15 1979



Michael A. Campos, Chief
Division of Water Rights

ORDER

APPLICATION 20011

PERMIT 13161

LICENSE _____

ORDER ALLOWING CHANGE IN CHARACTER OF USE AND
PLACE OF USE

WHEREAS the State Water Rights Board has found that the change in character of use and place of use under Application 20011, Permit 13161, for which petition was submitted on February 20, 1964, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to change the character of use and place of use in accordance with said petition;

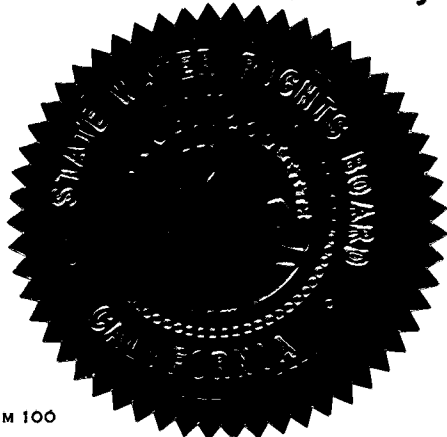
NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the character of use under said Application 20011, Permit 13161, to character of use as follows, to wit:

STOCKWATERING, FIRE PROTECTION, FISH CULTURE AND RECREATIONAL USES, and

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 20011, Permit 13161, to a place of use described as follows, to wit:

AT RESERVOIR WITHIN NE $\frac{1}{4}$ OF SE $\frac{1}{4}$ AND NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF SECTION 24, T12N, R8E, MDB&M.

WITNESS my hand and the seal of the State Water Rights Board of the State of California this 21st day of May, 1964



L. K. Hill
L. K. Hill
Executive Officer

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
ROOM 1140, RESOURCES BUILDING
1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

APPLICATION 20011

PERMIT 13161

THE STATE WATER RESOURCES CONTROL BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13161; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL
BE COMPLETED ON OR BEFORE DECEMBER 1, 1970

DATED: JAN 10 1968

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ROOM 1140, RESOURCES BUILDING

1416 NINTH STREET • SACRAMENTO 95814



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

PERMIT 13161

APPLICATION 20011

WHEREAS A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD; AND

WHEREAS IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME; AND

WHEREAS THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS TO SIGN THIS ORDER;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL COMMENCE ON OR BEFORE DECEMBER 1, 1972

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1974

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1975

DATED: AUG 24 1971

K. L. Woodward
K. L. WOODWARD, CHIEF
DIVISION OF WATER RIGHTS

References

— *Asplenium* *Asplenium*

References

2018年10月10日
 2018年10月10日

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 20011

PERMIT 13161

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 13161; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1967

DATED: APR 5 1967

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

FILE IN PUBLIC

[For full information concerning the filling out of this form refer to]
 [Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 20011 Filed February 28, 1961, at 2:39 P.M.
 (Applicant must fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

I, L. J. and E. Belle Esper Notice of Assignment (Over)
 Name of applicant or applicants

of Cool County of El Dorado
 Address

State of California, do hereby make application for a permit to appropriate the following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

1. The source of the proposed appropriation is Knickerbocker Creek
 Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
 located in El Dorado County, tributary to North Fork American River

2. The amount of water which applicant desires to appropriate under this application is as follows:

(a) For diversion to be directly applied to beneficial use _____ cubic feet per
 1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
 second, to be diverted from _____ to _____ of each year.
 Beginning date Closing date

(b) For diversion to be stored and later applied to beneficial use 22 acre-feet
 1 acre-foot equals 325,851 gallons
 per annum, to be collected between November 1 and April 1 of each season.
 Beginning date Closing date

NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.

3. The use to which the water is to be applied is irrigation Amended by order of 5-21-64
 Domestic, irrigation, power, municipal, mining, industrial, recreational
 purposes.

4. The point of diversion is to be located south 1110 feet and west 1320 feet from E $\frac{1}{4}$ corner of
 State bearing and distance or coordinate distances from section or quarter section corner
Section 24, T12N, R8E, MDB&M,

being within the NE $\frac{1}{4}$ of SE $\frac{1}{4}$
 State 40-acre subdivision of public land survey or projection thereof
 of Section 24, T. 12N, R. 8E, M.D. B. & M., in the County of El Dorado

5. The main conduit terminates in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 24, T. 12N, R. 8E, M. D. B. & M.
 State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

6. Intake or Headworks (fill only those blanks which apply)

(a) Diversion will be made by pumping from _____
 Sump, offset well, unobstructed channel, etc.

(b) Diversion will be by gravity, the diverting dam being _____ feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
 Concrete, earth, brush, etc.

(c) The storage dam will be 18 feet in height (stream bed to spillway level); 210 feet long on top; have a freeboard of 3 feet, and be constructed of earth
 Concrete, earth, etc.

7. Storage Reservoir Esper Reservoir
 Name

The storage reservoir will flood lands in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24,
 Indicate section or sections, also 40-acre subdivisions unless shown upon map

It will have a surface area of 7.6 acres, and a capacity of 48 acre-feet 4 afa in A 13103
 22 afa in A 14165
 In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference. being within SW $\frac{1}{4}$ of SE $\frac{1}{4}$
 *Point of redirection: N 650' and E 680' from S $\frac{1}{4}$ corner of Section 24, T12N, R8E, MDB&M.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) 3.0 feet; width at bottom 2.0 feet; depth of water 1.5 feet; length 1500 feet; grade 3.0 feet per 1,000 feet; materials earth

(b) Pipe line: Diameter inches; length feet; grade feet per 1,000 feet; total lift from intake to outlet feet; kind Riveted steel, concrete, wood-stave, etc.

NOTE.—If a combination of different sizes or kinds of conduit is to be used, attach extra sheets with complete description, also show location of each clearly on map.

9. The estimated capacity of the diversion conduit or pumping plant proposed is sample State cubic feet per second or gallons per minute \$1620. additional

The estimated cost of the diversion works proposed is \$1620. additional

Give only cost of intake, or headworks, pumps, storage reservoirs and main conduits described herein

Completion Schedule

10. Construction work will begin on or before July 1, 1961

Construction work will be completed on or before July 1, 1963

The water will be completely applied to the proposed use on or before July 1, 1964

Description of Proposed Use

11. Place of Use: Irrigation of 44 acres consisting of 25 acres within NW₁ of S₁ and 19 acres within SW₁ of S₁ of Section 24, T22N, R8E, M38E. Amended by order of 5-21-64

State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract. If space permits, if space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

Do (es) applicant(s) own the land whereon use of water will be made? Yes

Jointly? Yes

All joint owners should include their names as applicants and sign application at bottom of third page.

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

If applicant does not own land whereon use of water will be made, give name and address of owner and state what arrangements have been made with him.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is 44 acres. State net acreage to be irrigated

The segregation of acreage as to crops is as follows: Rice acres; alfalfa acres; pasture 44 acres

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about April 1 and end about November 1

Beginning date Closing date

14. Power Use. The total fall to be utilized is feet.

The maximum amount of water to be used through the penstock is cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is Second feet \times fall \div 8.8 horsepower.

The use to which the power is to be applied is For distribution and sale or private use, etc.

The nature of the works by means of which power is to be developed is Turbine, Pelton wheel, etc.

The size of the nozzle to be used is inches.

The water will not be returned to Name stream in State 40-acre subdivision of

Sec. T. R. B. & M.

1/23/67

RECEIVED NOTICE OF ASSIGNMENT TO

U.S. Bureau of Reclamation

IMPORTANT

[Please Read Carefully]

1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
5. Please advise immediately of any change of address. Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 13161

This is to certify that the application (of which the foregoing is a true and correct copy) has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed 22 acre-feet per annum to be collected from about November 1 of each year to about April 1 of the succeeding year. (0000005)
2. The maximum amount herein stated may be reduced in the license if investigation so warrants. (0000006)
3. Actual construction work shall begin on or before June 1, 1962, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked. (0000007)
4. Said construction work shall be completed on or before December 1, 1964. (0000008)
5. Complete application of the water to the proposed use shall be made on or before December 1, 1965. (0000009)
6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued. (0000010)
7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water. (0000012) amended 5-15-79
8. Permittee shall allow representatives of the State Water Rights Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)
9. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, or provide other means satisfactory to the State Water Rights Board, in order that water entering the reservoir or collected in the reservoir during and after the current storage season may be released into the downstream channel to the extent necessary to satisfy downstream prior rights and/or to the extent that appropriation of said water is not authorized under this permit. (0050043)
10. This permit does not authorize collection of water to storage during the period from about April 1 to about November 1 of each season to offset evaporation and seepage losses, or for any other purpose. (0000005)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: JAN 4 1962

STATE WATER RIGHTS BOARD



L. K. Hill
L. K. Hill
Executive Officer

15. Municipal Use. This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. Mining Use. The name of the mining property to be served is _____
Name of claim

_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water ☐ will ☐ will not be polluted by chemicals or otherwise. _____
Explain nature of pollution, if any

and it ☐ will ☐ will not be returned to _____ in _____ of _____
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. Other Uses. The nature of the use proposed is _____
Industrial, recreational, domestic, stockwatering, fish culture, etc.

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type of industrial use, and unit requirements

General

18. Are the maps as required by the Rules and Regulations filed with Application? ☒ Yes ☐ No. If not, state specifically the time required for filing same. _____
Yes or No

19. Does the applicant own the land at the proposed point of diversion? ☒ Yes ☐ No. If not, give name and address of owner and state what steps have been taken to secure right of access thereto. _____
Yes or No

20. What is the name of the post office most used by those living near the proposed point of diversion?

Cool, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? _____
Notify

Mrs. Dorothy Lindquist
Nurses Quarters
Highland Hospital
Auburn, California
(owns land: SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24)

[SIGNATURE OF APPLICANT] /s/ L. J. Esper